THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.4699 OF 2006

Dt.10.3.2006

Between:

Kanuri Nagasiromani and others … Petitioners

And

The District Collector, Ranga Reddy District

Hyderabad and 2 others. … Respondents

ORDER:

Petitioners seek writ of mandamus declaring the circular instructions vide Ref.Rc.No.E2/406/2001, dt.6.2.2001 issued by the first respondent as illegal and arbitrary and consequently direct the 3rd respondent to receive the sale deeds executed by the petitioners in favour of any intending purchasers and register the same in accordance with law.

The case of the petitioners is that they have purchased plot Nos.52 to 55 admeasuring 883 sq.yards, plot No.13-Part admeasuring 447 sq.yards and plot Nos.129, 76, 92 and 62 admeasuring each 320 sq.yards in the years 1981, 1982 and 1984 respectively. The said plots were form part of Sy.Nos.227/1 and 228/A of Bahadurpalli village, Qutubullapur Mandal, Ranga Reddy District. It is stated that the first respondent issue a circular dated 6.2.2001 advising the Sub Registrar, Ranga Reddy District, not to entertain any documents for registration of lands for agriculture or non-agriculture purpose whenever produced without prior approval of No Objection Certificate from the District Collector. It is stated that pursuant to the said circular instructions respondents 2 and 3 are not registering the documents in question.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

The learned counsel appearing for the petitioners submits that the Government has not issued any notification under Section 22-A of the Registration Act, 1908 (for short 'the Act') prohibiting the

registration of the lands in question.

No doubt, in the absence of any notification issued by the Government under Section 22-A of the Act, the respondents cannot refuse to register the documents. Having regard to the facts and circumstances of the case, respondents 2 and 3 are directed to receive the documents as and when presented by the petitioners in respect of the lands in question and process the same in accordance with law, if the said lands are not assigned lands and if there is no notification issued by the Government under Section 22-A of the Act, subject to compliance of the provisions of the Registration Act and Stamp Act. However, if there is any objection for registering the said lands, the reasons may be intimated to the petitioners.

The writ petition is accordingly disposed of. No order as to costs.

(V.ESWARAIAH, J.)

10.3.2006

kpr